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AN ACT

RELATING TO PER DIEM AND MILEAGE; ALLOWING SPECIAL HOSPITAL DISTRICTS TO ESTABLISH MILEAGE REIMBURSEMENT RATES; AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-48A-9 NMSA 1978 (being Laws 1978, Chapter 29, Section 9, as amended) is amended to read:

"4-48A-9. BOARD OF TRUSTEES--POWERS. --The board of trustees may:

A. acquire, construct, operate or maintain one or more hospital facilities in the special hospital district for the purposes for which the special hospital district was created;

B. receive and expend all funds accruing to the special hospital district pursuant to any provision of the Special Hospital District Act through the sale of bonds or the levy of taxes, paid from any source on account of patients accommodated at the hospital, from any gift or bequest or from any federal, state or private grant;

C. enter into contracts, including contracts with the federal government and the departments and agencies thereof or the state government and the departments, institutions and agencies thereof, for the treatment of or the hospitalization of patients under the jurisdiction of

1 such entities;

2 D. adopt and use a seal to authenticate its
3 official transactions;

4 E. sue and be sued;

5 F. adopt rules and regulations for the governing
6 of the special hospital district;

7 G. employ and fix the compensation of an executive
8 director of the special hospital district and such other
9 staff and clerical personnel it deems necessary;

10 H. employ a hospital administrator for hospital
11 facilities under its control and approve or disapprove the
12 recommendations of such administrator pertaining to
13 compensation and employment benefits for hospital employees;

14 I. fix the mileage reimbursement rate for travel
15 on official business in a privately owned vehicle by
16 employees of hospital facilities under its control, provided
17 that the rate shall not exceed the internal revenue service
18 standard mileage rate for use of a vehicle for business;

19 J. exercise all powers necessary and requisite for
20 the accomplishment of the purposes for which the special
21 hospital district is created;

22 K. issue bonds in the manner provided by law for
23 the issuance of special hospital district revenue bonds for
24 the construction, purchase, renovation, remodeling, equipping
25 or re-equipping of hospital facilities under its control and

1 purchasing the necessary land therefor;

2 L. charge for hospital services rendered;

3 M. lease a hospital to any person, corporation or
4 association for the operation and maintenance of the hospital
5 upon such terms and conditions as the board of trustees may
6 determine, provided that the lease may be terminated by the
7 board of trustees without cause upon one hundred eighty days'
8 notice after the first three years of the lease;

9 N. enter into an agreement with another county or
10 counties, another county or counties and another political
11 subdivision or any other person, corporation or association
12 that provides that the parties to the agreement shall join
13 together for the purpose of making some or all purchases
14 necessary for the operation of hospitals owned or operated by
15 the parties; and to designate one of the parties as the
16 central purchasing office, as defined in the Procurement
17 Code, for the others, to make purchases for the parties to
18 the agreement as they shall deem necessary and to comply with
19 the provisions of the Procurement Code; and

20 O. expend public money to recruit health care
21 personnel to serve the sick of the special hospital
22 district. "

23 Section 2. Section 10-8-6 NMSA 1978 (being Laws 1971,
24 Chapter 116, Section 5) is amended to read:

25 "10-8-6. APPLICATION OF ACT. --

1 A. The Per Diem and Mileage Act shall not apply to
2 the members of the legislature unless the legislature by
3 specific reference to the act makes it applicable to the
4 members and such application does not thereby exceed the per
5 diem and mileage rates fixed in the constitution of New
6 Mexico.

7 B. The provisions of Subsection D of Section
8 10-8-4 NMSA 1978 pertaining to the mileage reimbursement rate
9 for travel in a privately owned vehicle shall not apply to
10 employees of a hospital facility under the control of the
11 board of trustees of a special hospital district created
12 pursuant to the provisions of the Special Hospital District
13 Act, if the board of trustees has fixed a mileage
14 reimbursement rate for those employees. "

15 Section 3. EFFECTIVE DATE. -- The effective date of the
16 provisions of this act is July 1, 2003. _____

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